

Judge Benjamin H. Settle

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
DAVID MICHAEL NAVARRO,  
Defendant.

**CASE NO. CR13-5525BHS**

**ORDER**

Before the Court is the Government's motion for an order requiring Apple, Inc. ("Apple") to assist law enforcement agents in the search of an Apple iPhone5 ("the iOS Device"). Upon consideration of the motion and response, and for the reasons stated therein,

IT IS HEREBY ORDERED that Apple assist law enforcement agents in the examination of the iOS Device with the following identification numbers: Model # A1429; FCC ID # BCG-E2599A; IMEI # 990002277737548; and Serial # F17JLNGNF8H2, acting in support of a search warrant issued by a Court in this District;

IT IS HEREBY FURTHER ORDERED that Apple shall provide reasonable technical assistance to enable law enforcement agents to obtain access to unencrypted data ("data") on the iOS Device.

IT IS HEREBY FURTHER ORDERED that, to the extent that data on the iOS Device is encrypted, Apple may provide a copy of the encrypted data to law enforcement,

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United States v. Navarro (CR13-5525BHS)

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1 but Apple is not required to attempt to decrypt, or otherwise enable law enforcement's  
2 attempts to access any encrypted data;

3 IT IS HEREBY FURTHER ORDERED that Apple's reasonable technical  
4 assistance may include, but is not limited to, bypassing the iOS Device user's passcodes  
5 so that the agents may search the iOS Device, extracting data from the iOS Device and  
6 copying the data onto an external hard drive or other storage medium that law  
7 enforcement agents may search, or otherwise circumventing the iOS Device's security  
8 systems to allow law enforcement access to data and to provide law enforcement with a  
9 copy of encrypted data stored on the iOS Device; and

10 IT IS HEREBY FURTHER ORDERED that although Apple shall make  
11 reasonable efforts to maintain the integrity of data on the iOS Device, Apple shall not be  
12 required to maintain copies of any user data as a result of the assistance ordered herein;  
13 all evidence preservation shall remain the responsibility of law enforcement agents.

14 DONE this 13<sup>th</sup> day of November, 2013.

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BENJAMIN H. SETTLE  
United States District Judge

Presented by:

s/ Marci L. Ellsworth  
MARCI L. ELLSWORTH  
Assistant United States Attorney